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Attorneys for Defendant  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MITCHELL PRUST,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 09-05241 (EDL)

**STIPULATION CONTINUING CASE  
MANAGEMENT CONFERENCE FROM  
FEBRUARY 9, 2010 TO FEBRUARY 23,  
2010 AND [PROPOSED] ORDER**

**[Proposed Date:] February 23, 2010**

**Original Date: February 9, 2010**

**Time: 10:00 a.m.**

**Ctrm: E**

**Judge: Hon. Elizabeth D. Laporte**

Pursuant to Civil L.R. 6-2 plaintiff Mitchell Prust and defendant Apple Inc. stipulate as follows:

WHEREAS, a Case Management Conference was originally scheduled in this matter for February 9, 2010.

1  
2 WHEREAS, lead counsel for plaintiff will be travelling internationally on that date and is  
3 unavailable to appear.

4 NOW THEREFORE, IT IS HEREBY STIPULATED, by and between the parties hereto,  
5 through their respective counsel of record, that:

6 1. The Case Management Conference currently scheduled for 10:00 a.m. on February  
7 9, 2010 should be continued to 10:00 a.m. on February 23, 2010, or to such date that the Court  
8 may order;

9 2. The Joint Case Management Statement should be due on February 16, 2010; and

10 3. The last day for parties to Meet and Confer under Rule 26(f) should be January 27,  
11 2010.

12 DATED: January 14, 2010

THE LANIER LAW FIRM, P.C.

13  
14 By /s/  
Christopher D. Banys  
15 Counsel for Plaintiff  
Mitchell Prust

16 DATED: January 14, 2010

Morrison & Foerster LLP

17  
18 By /s/  
19 Rudy Y. Kim  
Counsel for Defendant  
20 Apple Inc.

**PURSUANT TO STIPULATION, IT IS ORDERED THAT:**

1. The Case Management Conference currently scheduled for 10:00 a.m. on February 9, 2010 shall be continued to 10:00 a.m. on February 23, 2010;
2. The Joint Case Management Statement shall be due on February 16, 2010; and
3. The last day for parties to Meet and Confer under Rule 26(f) shall be January 27, 2010.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Elizabeth D. Laporte  
United States Magistrate Judge